

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

BOBBY LEE ROTHMILLER

Case No.

19-462-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 8, 2018 in the county of Lancaster in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

21 U.S.C. Section 841(a)(1)
 and (b)(1)(C).
 18 U.S.C. Section 924(c)

Offense Description

See attachment "A"

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Stanley J. Roache, III, Task Force Officer, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/20/2019

Judge's signature

City and state: Philadelphia, PA

LINDA K. CARACAPPA, Chief U.S. Magistrate Judge

Printed name and title

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Attachment "A"

COUNT ONE

On or about August 8, 2018, in Ephrata Township, in the Eastern District of Pennsylvania, defendant BOBBY LEE ROTHMILLER knowingly and intentionally possessed with intent to distribute, a mixture and substance containing heroin, a Schedule I controlled substance. In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWO

On or about August 8, 2018, in Lancaster, in the Eastern District of Pennsylvania, defendant BOBBY LEE ROTHMILLER knowingly and intentionally possessed with intent to distribute, a mixture and substance containing heroin, a Schedule I controlled substance. In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THREE

On or about August 8, 2018, in Lancaster, in the Eastern District of Pennsylvania, defendant BOBBY LEE ROTHMILLER knowingly possessed, a firearm, that is, a Hi-Point Firearms .380 caliber semiautomatic pistol, model CF380, bearing serial number P8133204, loaded with five rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute heroin, in violation of Title 21 United States Code, Section 841(a)(1), (b)(1)(C). In violation of Title 18, United States Code, Section 924(c)(1).

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AFFIDAVIT

I, Stanley J. Roache III, being duly sworn under oath and deposed, state the following:

1. I am a detective with the Lancaster City Bureau of Police and a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) Violent Crime Task Force. I have been employed as a police officer with the Lancaster Bureau of Police since December 2000 and I have been a TFO since 2017. In that time, I have been involved in approximately 1,000 criminal arrests as a witness or prosecuting officer. From 2007 up until 2010, I was a member of the Lancaster Bureau Police Drug Unit. I conducted hundreds of undercover buys of controlled substances, including heroin, cocaine, and crack cocaine, among others. In that capacity I also worked with federal agencies, including the Drug Enforcement Administration (DEA), the FBI, and state authorities including the state Attorney General's Office. In March 2012, I was assigned to the Criminal Investigation Division and to the Violent Crime Unit. Since March 2014, I have conducted and assisted members of the Lancaster City Police Criminal Investigation Division in violent crime investigations, including hundreds of homicides, shootings, stabbings, serious assaults, robberies and other criminal offenses. I have served as the prosecuting officer on numerous homicides, violent crime, firearms and drug cases in federal, state and local courts. I have worked extensively with the Lancaster County Drug Task Force (LCDTF), as well as the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the FBI, in ongoing drug and violent crime investigations. I currently serve as a supervisor on the Lancaster County SERT Team.

2. On August 8, 2018, LCDTF members initiated a vehicle stop on U.S. Route 222, just north of U.S. Route 322 in Ephrata Township, Lancaster County Pennsylvania, on a gray Toyota Camry, Pennsylvania registration KSJ5964.

3. One of the three occupants of the vehicle, Bobby Lee ROTHMILLER DOB: 03-18-73, was seated in the front passenger seat, was the subject of a six-month long narcotics investigation during 2018 where confidential informants working with the LCDTF made at least three controlled buys of "K2" (synthetic marijuana) and heroin from ROTHMILLER, after contacting ROTHMILLER via cell phone to arrange drug purchases with him.

4. As LCDTF members were speaking with ROTHMILLER while he was still inside the vehicle, ROTHMILLER disclosed that he had a bag containing K2 (synthetic marijuana), which was on the floor at his feet. Task force members ordered ROTHMILLER and the two other occupants out of the vehicle. Manheim Borough Police Officer Kirk Colwell then used his police K9, Casper, a narcotics detection dog, to sniff the exterior of the vehicle. When the Officer Colwell walked around the vehicle, the K9 indicated the presence of narcotics inside the car.

5. LCDTF members searched the vehicle at the scene of the car stop in Ephrata Township, and found a blue sports bag on the floor in front of the front passenger where ROTHMILLER had just been seated. The bag was searched and found to contain multiple bags of K2 weighing a total of approximately 87.5 grams; 38 blue glassine bags stamped "snapple" containing a total of approximately 1.1g of heroin; one functional digital gram scale; and \$1,020 in U.S. currency. LCDTF members also found a Versace purse underneath the front passenger seat that contained 293 blue glassine bags stamped "snapple," each containing heroin for an approximate total of 8.79 grams of heroin; three smaller corner-tied bags containing a total of approximately 14.9 grams of cocaine; and multiple bags of K2 (synthetic marijuana), weighing a total of

approximately 77.2 grams. Officers also found a backpack on the back seat that contained multiple bags of K2, weighing a total of approximately 95 grams. Inside the vehicle officers also found numerous other bags of K2 weighing an approximate total of 7.1 grams.

6. As a result of the search, LCDTF arrested ROTHMILLER and took him into custody. They found \$667 in U.S. currency in his front left pocket.

7. While being transported to the LCDTF office, ROTHMILLER was advised of his Miranda Rights, which he waived, and spoke with task force members. ROTHMILLER admitted to having “three bricks” of heroin in his room at the Knights Inn, located at 2151 Lincoln Highway East in Lancaster, Pennsylvania. ROTHMILLER guided task force members to room number 316, and consented to its search by task force members. Before entering, ROTHMILLER told task force members that his girlfriend, C.B., was staying in the room, but she did not answer the door despite repeated knocking. Finally, the hotel manager came to the room and opened the door with another key. When task force members entered the hotel room, they found C.B. asleep and unresponsive, laying on top of the bed.

8. During the search of the hotel room, LCDTF members found a black backpack containing a stolen Hi-Point Firearms semiautomatic pistol, model CF380 SN: P8133204, loaded with five rounds of ammunition, and multiple items appearing to be controlled substances. (The Hi-Point pistol was later test-fired by a LCDTF member and found to be an operable firearm.) Samples taken from the controlled substances found in the hotel room were field-tested. The backpack contained approximately 7.6g of K2 (synthetic marijuana), and two packages wrapped in white paper containing 519 blue glassine bags stamped “snapple” containing a total of approximately 15.5g of heroin. Task force members also found two functional digital gram scales, a razor blade, and empty bags containing K2 (synthetic marijuana) and cocaine residue

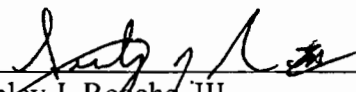
inside the room. A gray woven purse on the bed was also found and contained 58 blue glassine bags stamped "snapple," containing a total of approximately 1.7g of heroin, approximately 2.3g of K2 (synthetic marijuana), .2g of crack cocaine, two Suboxone tabs, and \$842 U.S. currency. When C.B. eventually awoke during the search, a task force member explained the circumstances, and ROTHMILLER told her that he was taking responsibility to protect her.

9. Based on your affiant's training and experience in narcotics investigations, the amounts of heroin, that were recovered by law enforcement as set forth above were substantial and exceeded the amounts typically possessed by a user, and were instead intended for sale and distribution. The street value of the heroin in the quantities located inside ROTHMILLER's vehicle and in the Knights Inn hotel room was approximately \$9,000.


10. After the search of the hotel room, LCDTF members transported ROTHMILLER back to their offices in Lancaster, where they again advised ROTHMILLER of his Miranda warnings. ROTHMILLER waived his rights, signing a waiver, and agreed to continue speaking with task force members. During the interview, ROTHMILLER stated the he was coming from Philadelphia, Pennsylvania and the purpose of the trip was to buy K2. He also stated the he sells K2 and heroin and that some of the money on his person and inside the vehicle were direct proceeds of drug sales. ROTHMILLER added that the heroin was for sale and that he pays \$500 for a "brick." ROTHMILLER admitted that he stays at the Knights Inn, and that the last time he stayed there was "two nights ago."

11. Based on the above facts, there is probable cause to believe that on August 8, 2018 in Ephrata Township and in Lancaster, Pennsylvania, Bobby Lee ROTHMILLER, possessed with the intent to distribute heroin, in violation of Title 21, United States Code, Sections 841(a)(1),

841(b)(1)(C); and possessed a firearm in furtherance of a controlled substance offense, in violation of 18 United States Code, Section 924(c).


Stanley J. Roache, III
Task Force Officer, FBI

Sworn to and subscribed
before me this 20th
day of March, 2019


Honorable Linda K. Caracappa
Chief United States Magistrate Judge